

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Yamano et al.* (U.S. Patent No. 4,767,965).

Claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Go* (JP 8-162069).

Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Fukushima et al.* (U.S. Patent No. 3,873,870).

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Yamamoto et al.* (U.S. Patent No. 5,341,231).

Summary of the Response to the Office Action

No change has been made to the claims. Claims 1-20 remain pending, with claims 1-16 currently under consideration.

Claim Rejection Under 35 U.S.C. §102(b)

Claims 1, 3, 4, 8, 9, and 11-15 stand rejected under 35 U.S.C. §102(b) as being anticipated by *Lynn*. This rejection is respectfully traversed for at least the following reasons.

Applicant respectfully submits that *Lynn* does not anticipate claims 1, 3, 4, 8, 9, and 11-15 because *Lynn* does not teach or suggest all of the features of these claims. For instance, it is respectfully submitted that *Lynn* fails to teach or suggest the claimed combination as set forth in independent claim 1 including at least “first and second electrodes arranged in the discharge spaces to be separated from each other,” and “first and second frames sealing the first and second substrates.”

The Final Office Action asserts that the electrodes (154) of *Lynn* correspond to the first and second electrodes, as set forth in claim 1, and that the electrode substrates (155 and 156) of *Lynn* correspond to the first and second frames, as set forth in claim 1. See paragraph 2, lines 6-

9 of the Final Office Action. However, in contrast to Applicant's claimed combination as a whole, *Lynn* discloses that "[s]uitable electrodes 154 mounted on a pair of electrode substrates 155 and 156 are inserted at opposite ends of the cavities before the plates [132 and 134] are sealed." Page 12, lines 8-9 of *Lynn*. In particular, FIG. 7 of *Lynn* shows a portion of the electrode substrates (155 and 156) of *Lynn* being sandwiched between the plates (132 and 134). In fact, no portion of the electrode substrates (155 and 156) of *Lynn* functions as a frame, as set forth in Applicant's claimed combination. Thus, it is respectfully submitted that the electrode substrates (155 and 156) of *Lynn* differ from the "first and second frames sealing the first and second substrates," as set forth in independent claim 1.

M.P.E.P. § 2131 states "[t]o anticipate a claim, the reference must teach every element of the claim." Applicant respectfully submits that since *Lynn* does not teach or suggest all of the features of independent claim 1, *Lynn* does not anticipate claim 1. Further, since claims 3, 4, 8, 9, and 11-15 depend from claim 1, it is respectfully submitted that *Lynn* also does not anticipate claims 3, 4, 8, 9, and 11-15. Accordingly, withdrawal of the rejection of claims 1, 3, 4, 8, 9 and 11-15 under 35 U.S.C. §102(b) is respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Yamano et al.* Claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Go*. Claim 10 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Fukushima et al.* Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over *Lynn* in view of *Yamamoto et al.* These rejections are respectfully traversed for at least the following reasons.

Applicant respectfully submits that *Yamano et al.*, *Go*, *Fukushima et al.*, and *Yamamoto et al.* are not relied upon to teach the first and second electrodes arranged in the discharge spaces, as set forth in Applicant's claimed invention, and that these references also are not relied upon to teach the first and second frames sealing the first and second substrates, as set forth in Applicant's claimed invention. Further, it is respectfully submitted that these references fail to remedy the above-discussed deficiencies of *Lynn* with respect to the rejection under 35 U.S.C. §102. Thus, Applicant respectfully submits that the applied references, whether taken separately or in combination, do not teach or suggest every feature of independent claim 1.

Since the applied references, whether taken separately or in combination, fail to teach or suggest each and every element set forth in independent claim 1, it is respectfully submitted that the applied references do not render claim 1 unpatentable. Further, since claims 2, 5-7, 10, and 16 depend from claim 1, it is respectfully submitted that these applied references also do not render claims 2, 5-7, 10, and 16 unpatentable. Accordingly, withdrawal of the rejections of claims 2, 5-7, 10, and 16 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

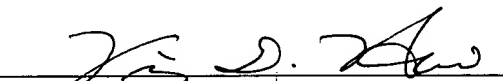
In view of the foregoing, Applicant respectfully requests the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims. Should there remain any questions or comments regarding this response or the application in general, the Examiner is urged to contact the undersigned at the number listed below.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310.

If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Victoria D. Hao
Registration No. 47,630

Dated: November 18, 2003

Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202.739.3000
Facsimile: 202.739.3001